



Proskauer Rose LLP Eleven Times Square New York, NY 10036-8299

January 21, 2014

Brendan J. O'Rourke  
Member of the Firm  
d 212.969.3120  
f 212.969.2900  
borourke@proskauer.com  
www.proskauer.com

**Via ECF**

Honorable Edward M. Chen  
San Francisco Courthouse  
Courtroom 5 – 17<sup>th</sup> Floor  
450 Golden Gate Avenue  
San Francisco, CA 94102

Re: *Jackson Family Wines, Inc. v. Diageo North America, Inc.*, 11-cv-5639 (EMC) (JSC)

Dear Judge Chen:

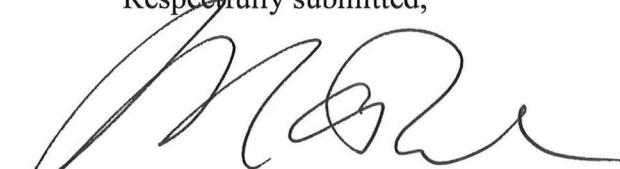
We represent Defendants Chateau & Estate Wines Co. and Diageo North America, Inc. in the above-referenced matter.

A status conference is scheduled for this Thursday, January 23, 2014 at 10:30 a.m. (Dkt. 126), and the parties jointly and respectfully seek Your Honor's permission to conduct this conference telephonically. As you may recall, the parties appeared in person at the most recent status conference on December 19, 2013 and will appear in person for the final pre-trial conference on February 18, 2014.

Plaintiffs' lead counsel is located in Washington D.C. and Defendants' lead counsel is located in New York. New York and Washington are currently experiencing a severe snowstorm, and counsel is uncertain whether travel will be possible. In light of the parties' upcoming January 28 deadline for pretrial submissions, and the extensive work and interim deadlines that the parties have in advance of that deadline, the parties are hopeful that Your Honor will consent to the parties' telephonic appearance at the conference on Thursday, January 23. We have attached a proposed order for the Court's convenience.

Thank you very much for your consideration.

Respectfully submitted,



Brendan J. O'Rourke

cc: Peter J. Willsey, Plaintiffs' Counsel (by e-mail)

Enclosure

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2                   **UNITED STATES DISTRICT COURT**  
3                   **NORTHERN DISTRICT OF CALIFORNIA**

4                   JACKSON FAMILY WINES, INC. and LC  
5                   TM HOLDING, LLC,

6                   Plaintiffs,

7                   v.  
8                   DIAGEO NORTH AMERICA, INC. and  
9                   DIAGEO CHATEAU & ESTATE WINES CO.,

10                  Defendants.

11                  Case No. CV-11-5639 (EMC) (JSC)

12                  [~~PROPOSED~~] ORDER REGARDING  
13                  TELEPHONIC APPEARANCE AT  
14                  STATUS CONFERENCE

15                  **JUDGE EDWARD M. CHEN**

16                  The parties' joint request dated January 21, 2014 to appear telephonically at the status  
17                  10:15 a.m.  
18                  conference set for January 23, 2014 at ~~10:30~~ a.m. is hereby GRANTED. Mr. O'Rourke is  
19                  directed to call all parties, then call the Court last at (415)  
20                  522-2117 at 10:15 a.m.

21                  **IT IS SO ORDERED.**

22                  DATED: 1/21/14

